In May 1963, the City entered into two 99 year leases with the United States Government – both related to the Fremont Army Reserve Center at State and Las Positas which was then under construction by the federal government.

One of the 99 year leases leased 14,564 square feet of land which was part of the City's MacKenzie Park to the U.S. Government for use by the U.S Army in connection with the Fremont Army Reserve Center. The other 99 year lease leased 12,511 square feet of federally-owned land to the City for use as part of the City's State Street right of way adjacent to the front of the Fremont Army Reserve Center. Neither lease required the payment of any rent.

Both leases provided that the City would seek City voter approval for eventually transferring ownership of the City park property to the federal government in return for the federal government transferring ownership of its property to the City.

The two parcels of land involved have been used for the purposes stated in the 1963 leases since that time. In other words, the U.S. Army fenced the land it leased from the City in 1963 and has used it as part of the Fremont Army Reserve Center and the City has used the federally-owned land as part of the City's State Street right of way since 1963.

As required by the City Charter, the City now seeks City voter permission to transfer ownership of the City-owned parcel used by the U.S. Army to the federal government as part of a land exchange where the federal government would concurrently transfer ownership of the federally-owned State Street right of way parcel to the City.

/s/ Stephen P. Wiley City Attorney

The above statement is an impartial analysis of Measure F.